

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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:
IN THE MATTER OF
:
RICHARD JOSEPH GUILLOT, M.D.
(Certificate No. 020599). :
:
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No. 15-I-442

CONSENT ORDER

An investigation was initiated on behalf of the Louisiana State Board of Medical Examiners (the "Board") by its Investigating Officer ("I/O") of Richard Joseph Guillot, M.D. ("Dr. Guillot"), a physician licensed to practice medicine in the State of Louisiana, as evidenced by Certificate No. 020599. The investigation was prompted by the receipt of information that Dr. Guillot surrendered his registration to prescribe controlled substances to the Drug Enforcement Administration in the course of a federal investigation for allegedly prescribing controlled substances without legitimate medical justification to a female patient with whom he developed a personal relationship.

In the course of the Board's investigation Dr. Guillot was asked and agreed to submit to inpatient evaluation to determine his fitness to practice medicine with reasonable skill and safety. In furtherance of this request, Dr. Guillot reported to a facility acceptable to the Board (the "Evaluating Facility"), where he underwent a comprehensive evaluation. Although the conduct which led to his evaluation was found to be an isolated event, and he was found safe to practice, he was discharged with recommendations for treatment concentrating on boundary issues. Dr. Guillot successfully completed such treatment and was discharged with recommendations that included, among other items, on-going therapy, participation in the Healthcare Professionals' Foundation of Louisiana's Physicians' Health Program ("PHP"), and refraining from solo practice.

As evidenced by his subscription to this Order, but without admitting any violation of the Louisiana Medical Practice Act, La. Rev. Stat. §37:1261 *et seq.* (the "Act") or the Board's rules, Dr. Guillot acknowledges: the substantial accuracy of the foregoing information; that such acknowledgement and information could provide the I/O herein with a lawful basis to initiate formal administrative proceedings against him for violation of the Act; and that proof of such violation upon administrative evidentiary hearing could provide the Board with sufficient cause for such action against his license to practice medicine in this state as the Board may deem appropriate, pursuant to La. Rev. Stat. §37:1285(A)(6), (13) and (25).¹

¹Pursuant to La. Rev. Stat. §37:1285(A), the Board may take action against the license of a physician as a result of:
(6) Prescribing, dispensing, or administering legally controlled substances or any dependency-inducing medication

Recognizing his right to written notification of any charges that may be asserted against him as a result of this investigation, as well as the right to administrative adjudication of such charges, at which time he would be entitled to be represented by legal counsel, to call witnesses and to present evidence in defense or in mitigation of the charges made and to a decision thereon by the Board based upon written findings of fact and conclusions of law, pursuant to La. Rev. Stat. §§49:951 *et seq.* Dr. Guillot, nonetheless, hereby waives his rights to notice, formal adjudication and written decision and, pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. Furthermore, Dr. Guillot acknowledges that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 *et seq.*, or to which he otherwise may be afforded by any law to contest his agreement to or the force and effect of the Board's investigation or this document in any court or other forum. By his subscription hereto, Dr. Guillot also hereby authorizes the I/O to present this Consent Order to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation and he waives any objection to such disclosures under La. Rev. Stat. §49:960. Dr. Guillot expressly acknowledges that the disclosure of such information to the Board by the I/O shall be without prejudice to the I/O's authority to proceed with the filing and adjudication of any administrative charges that may subsequently be filed in this matter against him, or to the Board's capacity to adjudicate such charges should the Board decline to approve this Consent Order.

Based upon the information provided, accordingly, and upon the recommendation of the I/O assigned to this matter, the Board has concluded that its responsibility to insure the health, safety and welfare of the citizens of this state, pursuant to La. Rev. Stat. §37:1261, will be effectively served by entry of the Order set forth hereinafter by consent. Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §37:1285 and La. Rev. Stat. §49:955(D),

IT IS ORDERED that the license of Richard Joseph Guillot M.D. to engage in the practice of medicine in the State of Louisiana, as evidenced by Certificate No. 020599, be and the same is hereby placed ***on probation for a period of one (1) year*** from the effective date of this order (the "probationary period"); *provided, however*, that Dr. Guillot's license to practice medicine and his continuing exercise of the rights and privileges granted to him thereby, shall be conditioned upon and subject to his acceptance of and strict compliance with the following terms and conditions:

1) Continuing Treatment, Participation in the PHP/Reports to Board. Dr. Guillot shall enter into and execute a monitoring agreement with the PHP and strictly adhere to all recommendations for ongoing treatment and monitoring of his condition, which are contained in his PHP monitoring agreement, or any subsequent agreement which may be recommended by the PHP, as well as those recommended by his treating professionals and any other health care provider involved in his care to the extent that they continue to follow him. Dr. Guillot shall, in addition, authorize and cause his treating and monitoring physicians and providers and/or the PHP to submit

without legitimate medical justification therefor or in other than a legal or legitimate manner;' '(13) Unprofessional conduct;' and (25) '[I]nability to practice medicine with reasonable skill or safety to patients because of mental illness or deficiency.'

to the Board, not less frequently than quarterly throughout the probationary period, written reports and/or verbal reports, should the Board desire the latter, on his then-current treatment, diagnosis, prognosis and his fitness and ability to practice medicine with reasonable skill and safety to patients, and his compliance with the terms and conditions of this Order and his PHP monitoring agreement.

2) Board Access to Treatment Records and Reports. Dr. Guillot shall, and does by his subscription hereto, authorize any physician or any institution at which he undergoes treatment for any condition from which he may suffer or be diagnosed, as well as any physician under whose care he may come at such an institution who has or may hereafter evaluate, diagnose, treat or monitor him, to provide the Board with copies of all medical reports relating to Dr. Guillot's history, examination, evaluation, diagnosis, treatment and prognosis and to provide the Board with written and verbal reports relative thereto. Dr. Guillot expressly waives any privilege that may otherwise be afforded the disclosure of such records pursuant to state or federal law and shall immediately execute any authorization or release that may be necessary to permit the Board access to such records.

3) Board Approval of Practice Setting. Dr. Guillot shall not engage in the practice of medicine in this state other than in a practice setting approved in advance by the Board or its designee.

4) Courses on Boundary Issues and Professionalism. Within thirty (30) days from effective date of this Order Dr. Guillot shall, if he has not already done so, provide written confirmation that he has taken and successfully completed one or more courses on boundary issues and professionalism. All courses required by this provision shall be comprehensive in nature (greater than 20 credit hours) and shall be acceptable to and pre-approved in writing by the Board or its designee.

5) Treatment of Family Members/Self Prohibited. Except as may be necessitated by an emergency or life-threatening medical condition, Dr. Guillot shall not treat, dispense, prescribe or administer any medication or render any medical care to any member of his immediate family. In addition, Dr. Guillot shall arrange for other physicians to attend to his own health care needs.

6) Absence from the State/Practice/Effect on Probation. Should Dr. Guillot at any time during the period of probation ordered herein be absent from the state of Louisiana, relocate to and/or take up residency in another state or country, or discontinue practicing as a physician for a period of thirty (30) days or more, he will so advise the Board in writing. In such instance, the probationary period ordered herein shall be deemed interrupted and extended for no less than the period of time during which he was not engaged in practice or was absent from the state of Louisiana; however, all terms and conditions may continue to be in effect as ordered or may be modified or altered as needed at the Board's discretion.

7) Notification. Dr. Guillot shall provide a complete copy of this Order to each hospital, clinic, facility or other employer or prospective employer at which or for whom he provides services as a physician in this state.

8) Cooperation with Board's Probation and Compliance Officer. Dr. Guillot shall immediately notify the Board's Probation and Compliance Officer of any change in his current home, professional addresses, telephone numbers and other contact information and he shall direct all matters required pursuant to this Order to the attention of the Probation and Compliance Officer, with whom he shall cooperate on all matters and inquiries pertaining to his compliance with the terms and conditions of this Order.

9) Payment of a Fine. Within ninety (90) days from the effective date of this Order, Dr. Guillot shall pay the Board an administrative fine in the amount of five thousand dollars (\$5,000.00).

10) Probation Monitoring Fee. Dr. Guillot shall pay the Board a probation monitoring fee of Three Hundred (\$300.00) Dollars. Payment of the fee shall be due not later than sixty (60) days from the effective date of this Order.

11) Effect of Violation/Sanction/Resolution. By his subscription hereto, Dr. Guillot acknowledges that his receipt of written notification from the Board or its designee that it has received apparently reliable information which indicates his failure to comply with the requirements set forth by this Order in any respect shall, without the need for formal hearing or for providing him with any right to which he may otherwise be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 *et seq.*, or which otherwise may be afforded to him by law, constitute his irrevocable consent to the immediate suspension of his license to practice medicine in this state pending the issuance of a decision by the Board following administrative adjudication of such charges or by Consent or other Order issued by the Board.

12) Certification of Compliance with Probationary Terms/Personal Appearance. At least sixty (60) days prior to the conclusion of the probationary period Dr. Guillot shall provide the Board with an affidavit certifying that he has complied with each of the terms and conditions of probation imposed by this Order and he shall contact the Board and arrange for a personal appearance before the Board at its meeting preceding the expiration of his probationary period. The probationary period and all of its terms and conditions shall be, and shall be deemed to be, extended and continued in full force and effect pending Dr. Guillot's compliance with the requirements of this provision.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms and conditions set forth by this Order by Dr. Guillot shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such further action against his license to practice medicine in the state of Louisiana as the Board may deem appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. §37:1285.

IT IS FURTHER ORDERED that this Consent Order shall be, and shall be deemed to be, a public record.

Signed in New Orleans, Louisiana, and effective on this 12th day of June, 2017.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

BY: K. Barton Farris, M.D.
K. BARTON FARRIS, M.D.

*Acknowledgment and Consent
follows this page*


*Acknowledgment and Consent
follows this page*

ACKNOWLEDGMENT
AND CONSENT


STATE OF LOUISIANA

PARISH OF St. Tammany

I, Richard Joseph Guillot, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 11th day of May, 2017.



Richard Joseph Guillot, M.D.

WITNESSES:


Signature

Danielle Cook
Printed Name

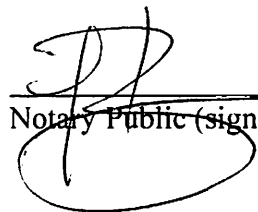
1102 N. Hwy 190 Ste K
Address COV. LA 700433


Signature

Sal Mortillaro II
Printed Name

Address

Sworn to and subscribed before me at Covington, Louisiana, this 11th day of May, 2017, in the presence of the two stated witnesses.


Notary Public (signature)

Printed Name/Notary or La. Bar No. #

JEANNE M. BERGERON

Notary Public # H924 134019
State of Louisiana
My Commission is for Life